

the gentleman from California (Mr. GEORGE MILLER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

REGARDING JUSTICE SCALIA'S REFUSAL TO RECUSE HIMSELF FROM HEARING CASE CONCERNING THE VICE PRESIDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, Supreme Court Justice Antonin Scalia has done something no Democrat and no Republican has been able to do. Justice Scalia has united the country from Maine to California, from Washington to Texas. Even Texas. Here is just a sample of what editorials across America have been saying about Justice Scalia's decision to hear a case involving the Vice President:

Inappropriate. Unethical. Less arrogance, more impartiality. The appearance of impropriety is abusive and extreme. It taints the very essence of justice. Scalia's refusal to recuse himself let the sour tinge of politics ooze into the High Court's chambers. He's ducking the law.

In America, Mr. Speaker, Lady Justice is blind for a reason. Equal justice for all is a fundamental right of this country. Justice Scalia will soon run afoul of this because he decided to hunt fowl with the Vice President.

The facts, sketchy as they are, are these:

In early January, the Justice joined the Vice President aboard Air Force Two. They flew to Louisiana to spend days together in private while duck hunting on a private reserve owned by a local oilman. Nothing new there. The area they hunted in was declared a no-fly zone by the Secret Service and the ducks apparently abided by the Secret Service order. The trip followed a Supreme Court decision to hear an important case involving the Vice President. The case involves the right of the public to pierce the veil of private meetings the Vice President held with Big Oil and Big Business in public buildings to chart a public energy policy which has led us into two invasions, two occupations. There are huge issues at stake and the Nation must know that the Supreme Court will hear the case impartially.

If Justice Scalia does not remove himself from the case, the entire process will be forever tainted. Here is what the law says:

"Any justice, judge or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned."

How could any rational person not question Justice Scalia's impartiality if he hears this case? His public re-

sponse to date has been a mockery of the serious concerns expressed across the country. "Quack-quack" is how the Justice ended one answer in public at Amherst College. I kid you not. "Quack-quack," from a Justice of the Supreme Court. Perhaps in the future the fierce competition by law graduates to clerk in the highest court will include an audition for bird and duck calls. The Supreme Court decides the fate of lives and the course of our Nation for generations to come. Justice Scalia cannot let thoughtful, respectful concerns expressed by smart, independent voices across the country roll off his back like water off a duck.

This issue concerns not just Justice Scalia; but it goes to the honesty, integrity, ethics, and impartiality of the highest court. The stakes are too high and the right course of action too obvious for him to ignore.

Chief Justice Charles Evans Hughes as he was laying the cornerstone of the Supreme Court Building said: "The Republic endures and this is the symbol of its faith."

Justice Scalia defends America best by defending equal justice under the law. Justice Scalia must remove himself from this case for the good of the Court and for the good of the country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

COMMENDING AN AMERICAN WAR HERO FROM INDIANAPOLIS, INDIANA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, it is with great pride that I rise today to recognize an extraordinary young man who is an American war hero of Iraq and a fellow Hoosier, Specialist Dwayne Anthony Turner of the Third Battalion, 502nd Infantry Regiment, 101st Airborne Division. Specialist Dwayne Anthony Turner, an Army medic from Indianapolis, was awarded the Silver Star for demonstrating exceptional bravery, self-sacrifice and resolute fearlessness during a grenade and arms attack on April 13, 2003.

American soldiers were caught off guard when the attack began on a crowded street 30 miles south of Baghdad. Specialist Dwayne Anthony Turner was riding in his Humvee when the grenade hit. Bleeding from flying shrapnel that ripped into his legs, Specialist Turner dragged several soldiers to safety and administered aid to others while taking fire. More commonly known as Doc Turner, this young 23-

year-old soldier saved the lives of two comrades and provided aid to 14 others after he was hit by shrapnel and shot a total of three times in the leg and arm. He did not cease assisting injured soldiers until he lost a significant amount of blood and was administered morphine. Specialist Dwayne Anthony Turner is the first soldier from the Fort Campbell-based 101st to receive the Silver Star for valor.

I would like to recognize Specialist Turner for his remarkable fortitude, courageousness, his spirit and selfless determination and would certainly ask the House of Representatives to join me in honoring this notable American war hero from my district.

Specialist Turner agreed to 4 years but was arbitrarily extended, Mr. Speaker, to 5 years.

Mr. Speaker, we would think that the United States of America, that the White House, that the Department of the Army would give Specialist Turner a standing ovation for the outstanding contribution that he made as an American, as a soldier and as a hero in Iraq. But not so. Mr. Speaker, upon Specialist Turner's return to Fort Campbell, understandably he consumed alcohol excessively, incurred intense and immense emotional trauma. His behavior became erratic. Instead of addressing what obviously is post-traumatic stress, the Army busted him down to a private, kicked him out of service, did not give him mustering-out pay, which ultimately caused this dear Army soldier to become homeless, notwithstanding the kind of contributions that he has made to a better America and what we were believing to be a better Iraq.

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I would like specifically to call this incredible, awful situation in terms of Specialist Turner's fate, in private, now nothing, the Army soldier, used to be soldier, to the attention of the White House. We often say that we support our troops. We get criticized when we do not support Iraq and the money that goes into Iraq, and I would ask the President and all of his soldiers there on Pennsylvania Avenue and those who are responsible for this incredible inhumane act against an individual who has done so much for this country to counteract, to reverse the vicious act that has been administered against him since he has been in this country by the United States Government. Make him whole, give him his mustering-out pay, and let the record show that he was, in fact, a specialist and not a private, a specialist when he received the honors that he received from the Army.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentlewoman from California (Ms. LORETTA SANCHEZ) is recognized for 5 minutes.